

Snell & Wilmer
LLP
LAW OFFICES
1700 South Pavilion Center Drive, Suite 700
Las Vegas, Nevada 89135
702.784.5200

Charles E. Gianelloni (NV Bar No. 12747)
Markie L. Betor (NV Bar No. 15505)
SNELL & WILMER L.L.P.
1700 South Pavilion Center Drive, Suite 700
Las Vegas, Nevada 89135
Telephone: (702) 784-5200
Facsimile: (702) 784-5252
Email: cgianelloni@swlaw.com
mbetor@swlaw.com

Attorneys for Polaris Processing, LLC

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

POLARIS PROCESSING, LLC,

Plaintiff,

vs.

NEW RISE RENEWABLES RENO, LLC,

Defendant.

Case No. 2:24-cv-1907-JAD-MDC

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

(FIRST REQUEST)

NEW RISE RENEWABLES RENO, LLC,

Counter-Complainant,

vs.

POLARIS PROCESSING, LLC, Individual
DOES 1-10; ROES 1-10, inclusive,

Counter-Defendants.

NEW RISE RENEWABLES RENO, LLC,

Third-Party Plaintiff,

vs.

TERRY FRIEDMAN & JULIE THROOP,
PLLC; JOHN C. BOYDEN, ESQ., an
individual; GREATER NEVADA CREDIT
UNION, a domestic non-profit cooperative
corporation; TRUIST BANK, NORTH
CAROLINA, a Tennessee Corporation;
KING FIRM LLC, a fictitious corporation;
DOES 1-10; ROE BUSINESS and ROE
CORPORATIONS 1-10, inclusive,

Third-Party Defendants.

1 Polaris Processing, LLC (“Polaris”), New Rise Renewables Reno, LLC (“New Rise”),
2 Greater Nevada Credit Union (“Credit Union”), Terry Friedman & Julie Throop, PLLC and John
3 C. Boyden, Esq. (collectively, “Throop and Boyden” and together with Polaris, New Rise, and
4 Credit Union, the “Parties”) by and through their respective counsel, hereby submit this Stipulation
5 and Order to Extend Discovery Deadlines (“Stipulation”) pursuant to Local Rule 26-1 and Federal
6 Rule of Civil Procedure 26(f)(3), which supersedes the Order Granting the Amended Joint
7 Discovery Plan and Scheduling Order (“Joint Discovery Plan”) entered January 15, 2025 [ECF No.
8 31]. When Polaris and New Rise submitted the Joint Discovery Plan that the Court entered, New
9 Rise was in the process of serving third-party defendants named in its third-party complaint filed
10 on November 11, 2024 [ECF No. 7]. As a result, New Rise and Polaris informed the Court of their
11 intention to extend the deadlines outlined in the Joint Discovery Plan at a later date to ensure a
12 standardized discovery schedule for all participants in the litigation [ECF No. 31, n. 1].
13 Accordingly, the Parties seek to extend discovery deadlines sixty (60) days, so all Parties have
14 adequate time to gather and analyze relevant information. This is the first request to extend
15 discovery deadlines, and this request is made in good faith and not for purposes of undue delay.

16 **A. Discovery Completed**

17 On January 27, 2025, Polaris served its initial disclosures, and on February 20, 2025,
18 Throop and Boyden served its initial disclosures. The Parties are currently working on a protective
19 order, and after the Court enters that order, the Parties will exchange confidential initial disclosure
20 documents. On March 7, 2025, the Parties attended a supplemental Rule 26 conference that
21 included new parties Throop and Boyden and the Credit Union. Only Polaris and New Rise
22 attended the original Rule 26 conference.

23 **B. Discovery Remaining**

24 The Parties anticipate propounding written discovery, disclosing one or more experts and/or
25 rebuttal experts, and taking depositions of party, non-party, and expert witnesses. The Parties may
26 also subpoena nonparty representatives and make additional document disclosures.

27 ///

28 ///

C. Good Cause Supports the Extension, and Any Noncompliance with Current Deadlines Constitutes Excusable Neglect

The Parties can establish that any failure to meet the current deadlines resulted from a delay in service of third-party plaintiff New Rise's third-party complaint on Throop and Boyden and the Credit Union, and the need to align all parties on a standardized discovery schedule, both of which constitute excusable neglect. LR IA 6-1 states that "[a] request made after the expiration of the specified period will not be granted unless the movant or attorney demonstrates that the failure to file the motion before the deadline expired was the result of excusable neglect."

Here, New Rise filed third-party claims against Throop and Boyden and the Credit Union and needed time to serve the third-party defendants. The delay in service led to new parties joining the case and holding a supplemental Rule 26 conference on dates that conflicted with the existing Joint Discovery Plan. When the Joint Discovery Plan was entered on January 15, 2025, New Rise was still in the process of serving third-party defendants named in its third-party complaint filed on November 11, 2024 [ECF No. 7]. As noted in the Joint Discovery Plan, Polaris and New Rise informed the Court of their intent to extend the deadlines to ensure a standardized discovery schedule for all participants [ECF No. 31, n. 1]. Notably, Throop and Boyden's counsel did not appear until February 12, 2025 [ECF No. 41], and Credit Union did not appear until February 21, 2025 [ECF No. 47]. As a result, Credit Union's appearance occurred after the deadline to amend pleadings and add parties had already passed [ECF No. 31]. Given these circumstances, any failure to meet the current deadlines was due to delays in service and the necessity of standardizing the discovery schedule to promote judicial efficiency. Because these factors constitute excusable neglect, the Court should grant the requested extension of the discovery deadlines.

D. Proposed Schedule

Initial disclosures for Credit Union will be due March 21, 2025. The following dates are the current and proposed deadlines for the Parties.

///

///

///

Description	Current Deadline	Proposed Deadline
Discovery cut-off date	May 19, 2025	July 18, 2025
Amending the pleadings and adding parties	February 18, 2025	April 21, 2025
Expert disclosures	March 20, 2025	May 19, 2025
Rebuttal expert disclosures	April 21, 2025	June 20, 2025
Dispositive motions	June 18, 2025	August 18, 2025
Pretrial order	July 18, 2025	September 16, 2025

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: March 10, 2025

SNELL & WILMER L.L.P.

/s/ Charles E. Gianelloni

Charles E. Gianelloni (NV Bar No. 12747)
Markie L. Betor (NV Bar No. 15505)
1700 South Pavilion Center Drive, Suite 700
Las Vegas, NV 89135
Telephone: (702) 784-5200
cgianelloni@swlaw.com
mbetor@swlaw.com

Attorneys for Polaris Processing, LLC

Dated: March 10, 2025

JACKSON LEWIS P.C.

/s/ Joshua A. Sliker

Joshua A. Sliker (NV Bar No. 12493)
Thomas W. Maroney (NV Bar No. 13913)
300 South Fourth Street, Suite 900
Las Vegas, NV 89101
Telephone: (702) 921-2460
joshua.sliker@jacksonlewis.com
thomas.maroney@jacksonlewis.com

Attorneys for Greater Nevada Credit Union

IT IS SO ORDERED.

If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order. The disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections to them must be included in the joint pretrial order.

Dated: March 10, 2025

RANALLI, ZANIEL, FOWLER & MORAN

/s/ David Zaniel

David Zaniel (NV Bar No. 7962)
50 West Liberty Street, Suite 1050
Reno, NV 89501
Telephone: (775) 786-4441
dzaniel@ranallilaw.com

Attorney for New Rise Renewables Reno, LLC

Dated: March 10, 2025

DOTSON, HAYWARD & VANCE, PC

/s/ David T. Hayward

David T. Hayward (NV Bar No. 5986)
5355 Reno Corporate Drive, Suite 100
Reno, NV 89511
Telephone: (775) 501-9400
dhayward@dhvnm.com

Attorneys for Terry Friedman & Julie Throop, PLLC and John C. Boyden, Esq.

Hon. Maximiliano D. Couvillier III
United States Magistrate Judge
Dated: 3/11/2025